

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 59th LEGISLATURE - REGULAR SESSION

JOINT APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Call to Order: By **MADAM CHAIR EVE FRANKLIN**, on January 7, 2005
at 8:02 A.M., in Room 102 Capitol.

ROLL CALL

Members Present:

Rep. Eve Franklin, Chairman (D)
Sen. John Esp (R)
Rep. Bill E. Glaser (R)
Rep. Verdell Jackson (R)
Rep. Carol C. Juneau (D)
Sen. Don Ryan (D)

Members Excused: Sen. Carol Williams (D)

Members Absent: None.

Staff Present: Mike Burke, OBBP
Amy Carlson, OBBP
Marilyn Daumiller, Legislative Branch
Diana Williams, Committee Secretary
transcribed by Kim Leighton

Please Note. These are summary minutes. Testimony and discussion are paraphrased and condensed. Tape counter notations refer to the material immediately preceding.

Committee Business Summary:

Hearing: Meeting with the Board of Public
Education,
Executive Action: None

Opening Remarks by MADAM CHAIR FRANKLIN:

CHAIR FRANKLIN opened the hearing with a few housekeeping issues. **Amy Carlson, Governor's Budget Office** introduced herself to the subcommittee.

A schedule was provided as well.

[EXHIBIT\(jeh05a01\)](#)

Marilyn Daumiller, Legislative Staff started by discussing Page E24 of Exhibit 2. She stated that this is a straightforward and modest budget. She discussed the gray box in the middle of this page stating that she might not use the word "major." She continued on pointing to Page E25 and discussing the General Fund and State Special Revenue. Next she touched on Page E27 which deals with per diem reinstatement. **Steve Meloy, Board of Public Education (BPE)**, introduced himself to the subcommittee. They continued on in the document. She added that there is a "mis-code" that Mr. Meloy will address.

[EXHIBIT\(jeh05a02\)](#)

BOARD OF PUBLIC EDUCATION (BOPE) HEARING**OVERVIEW OF AGENCY**

Mr. Meloy stated that he is here to provide some general information on BPE's duties and responsibilities. He discussed the Board's rule-making authority per the constitution.

[EXHIBIT\(jeh05a03\)](#)

[EXHIBIT\(jeh05a04\)](#)

{Tape: 1; Side: A; Approx. Time Counter: 0 - 28.6}

Mr. Meloy discussed the lawsuit that the State is currently facing, Helena Elementary v. State. He spoke about the problems that brought about this lawsuit and what needs to happen as result of it. He touched on the work done by the Renewal Commission. He talked about schools consolidating funds. **Mr. Meloy** said that the people should appreciate the work done by the P-20 group.

BUDGET REQUESTS

Mr. Meloy stated that the system gets less expensive if they can get children in and out in four years. He spoke about the Special Revenue Fund problems. He discussed the National Association of the Board of Education (NABE); they received \$17,0000 for this. He explained the benefits that they receive. He spoke about Decision Packet (DP) 7; this was created utilizing a teacher fee of \$60,000. He added that they pay it on a five-year cycle. He explained what they use the research funds on.

Mr. Meloy concluded by saying that the elephant in the room is the lawsuit. As they move through this, they need to include BPE. They need to realize that there may need to be more money appropriated for this. He implored them that they keep an open mind. He went over the last two paragraphs of his document. He also touched on the annual calendar that he distributed.

EXHIBIT (jeh05a05)

{Tape: 1; Side: B; Approx. Time Counter: 0 - 20.8}

QUESTIONS FROM SUBCOMMITTEE

REP. JUNEAU had three questions for Mr. Meloy. She asked him about an honorarium when the Board meets. She wondered if the Board has budgeted for the committees within the Board to do their work. She also wondered about money for the Montana Advisory Council on Indian Education (MACIE).

Mr. Meloy stated that the only requirement to be on the Board is that one is a Montana citizen. He added that if one is affiliated with the educational community one may receive an honorarium. He reiterated that the four committees that REP. JUNEAU referred to are: P-20; Indian Education For All; Budget Committee; and Policy & Planning Committee. He explained the funding and duties of these four committees. **Mr. Meloy** explained that MACIE is another board in addition to BPE and Office of Public Instruction (OPI). He added that there are not allocated funds for MACIE.

REP. GLASER stated that he believes the budget the Mr. Meloy has put forth is a bit stingy. He added that he hopes BPE will come forward with what they need, and how they will get it. He asked Mr. Meloy if he had any ideas on when they would be getting back to the legislature with these numbers.

8:55 am
(SEN. ESP left.)

Mr. Meloy said that he appreciated REP. GLASER's comments. He spoke about past problems and how they were solved. He added that he will be approaching the necessary committees at the necessary times.

CHAIR FRANKLIN attested that the process of integrating the funds is going to be an enormous task.

REP. GLASER spoke about the constitution in relation to this educational group.

SEN. RYAN thanked REP. GLASER for his comments. He added that it is integral that BPE makes sure the accreditation standards are where they need to be. He does not think they should leave it up to 150 legislators who meet every year and a half. They need to have experts helping them with this issue.

Mr. Meloy attested that the Supreme Court decision underscores what REP. GLASER just stated.

REP. GLASER stated that what was just said needs to be echoed in their minds. He added that statistical supports are needed.

CHAIR FRANKLIN inquired into the error that was found in regard to the General Fund money.

Mr. Meloy claimed that they reverted General Fund money; they did not borrow it.

SEN. RYAN asked about Rules of Assessment. He wondered if Mr. Meloy believes BPE should have a bigger role in establishing this process.

Mr. Meloy discussed why they have the Assessment Task Force and how it operates. He added that the feds have put a great emphasis on testing; that is what concerns them.

REP. JUNEAU commented on the assessment testing. She noted that the testing is desegregated now. She also mentioned No Child Left Behind (NCLB) and touched on Indian Education.

SEN. RYAN commented on Lobel v Helena School Districts. He compared the BPE's authority on accreditation standards to their authority on assessment standards.

Mr. Meloy stated that the assessment standards are set up to assess how the students are holding up to the accreditation

standards. In light of this, it would fall under the authority of the BPE.

CHAIR FRANKLIN thanked Mr. Meloy for his work and the work of BPE.

{Tape: 2; Side: A; Approx. Time Counter: 0 - 18.4}

PUBLIC TESTIMONY

Erik Burke, Montana Education Association-Montana Federation of Teachers (MEA-MFT), stated that they represent over 12,000 educators in Montana. He discussed the role of BPE and the importance of the budget. He added that they desire the involvement of OPI.

Bob Vogel, Montana School Board Association (MTSBA), echoed the comments heard earlier. He also supports the budget. It needs to reflect the importance of education.

OBPP Comments:

Amy Carlson, Governor's Budget Office, wished to touch upon the OPI budget. She stated that the issue of Indian education is included in their budget. She also mentioned an area that discusses funding for MACIE. She provided a document to aid her discussion.

EXHIBIT(jeh05a06)

Ms. Daumiller asked about the request for \$100,000 for a position in BPE. She asked Mr. Meloy if this was for two positions. **Mr. Meloy** attested that is correct.

{Tape: 2; Side: A; Approx. Time Counter: 18.4 - 25.9}

ADJOURNMENT

Adjournment: 9:30 A.M.

REP. EVE FRANKLIN, Chairman

DIANA WILLIAMS, Secretary

EF/DW

Additional Exhibits:

EXHIBIT ([jeh05aad0.PDF](#))